

Amendment and Response Under 37 C.F.R. 1.116

Applicant: Frank Wiedmann

Serial No.: 10/756,838

Filed: January 13, 2004

Docket No.: I435.104.101/12881US

Title: METHOD AND DEVICE FOR PRODUCING DELAYED SIGNALS

REMARKS

The following remarks are made in response to the Final Office Action mailed December 13, 2005. Claims 23 and 25 have been withdrawn from consideration. Claims 3, 7-10, 12, 13, 16, 21, and 26 have been allowed. Claims 1, 2, 4, 5, 11, 14, 15, 17, 19, 22, and 24 were rejected. Claims 6, 18, and 20 have been objected to. With this Response, claims 6 and 17 have been cancelled without prejudice and claims 1, 3, 4, 14, 18, and 20 have been amended. Claims 1-5, 7-16, and 18-26 remain pending in the application and are presented for reconsideration and allowance.

Elections/Restrictions

The Examiner restricted claims 22-25, which were newly added in the Response to the first Office Action. In particular, the Examiner restricted these claims to Species I covering the first and second intermediate signals transitioning in a rising direction as claimed by dependent claims 22 and 24; and Species II covering the first and second intermediate signals transitioning in a falling edge direction as claimed by dependent claims 23 and 25. The Examiner withdrew Species II, claims 23 and 25 from consideration as being directed to a non-elected invention. With the above amendment to independent claim 1 and independent claim 14, independent claims 1 and 14 are believed to be allowable as discussed below. Therefore, the Species I of claims 22 and 24 and the Species II of claims 23 and 25 are dependent upon allowable generic claims 1 and 14. Therefore, Applicant respectfully requests that Species II, claims 23 and 25 which are respectively dependent upon allowable independent claims 1 and 14 remain in the case.

Claim Rejections under 35 U.S.C. § 112

The Examiner rejected claims 4-5 and 17 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Allowable independent claim 3 has been clarified with the above amendment. With this clarification, and the amendment to claim 4, claim 4 is now clearly defined and has proper antecedent basis.

The limitations of dependent claim 17 have been incorporated into independent claim 14. With this incorporation, amended claim 14 now clearly recites that a circuit comprises a multiplexer connected to the delay elements. Thus, amended claim 14 clearly defines the invention.

In view of the above, claims 4-5 and 14 are believed to be in form for allowance. Therefore, Applicant respectfully requests that rejections to these claims under 35 U.S.C. § 112, second paragraph, be reconsidered, and that the rejections be removed and these claims be allowed.

Claim Rejections under 35 U.S.C. § 102 and Allowable Subject Matter

The Examiner rejected claims 1-2, 11, 14-15, 19, 22, and 24 under 35 U.S.C. 102(b) as being anticipated by the Nguyen U.S. Patent No. 6,285,226.

Claims 3, 7-10, 12-13, 16, 21, and 26 are allowed.

The Examiner objected to claims 6, 18, and 20 as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all limitations of the base claim and any intervening claims.

The Examiner rejected claims 4-5 and 17 under 35 U.S.C. § 112, second paragraph, but would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

Applicant has amended independent claim 1 to include allowable limitations of provisionally allowed dependent claim 6.

Applicant has amended independent claim 14 to include the allowable limitations of provisionally allowed dependent claim 17 and as indicated above has amended claim 14 to overcome the Section 112, second paragraph rejection to previous dependent claim 17.

Applicant has amended dependent claim 18 into independent form to include the limitations of previous base claim 14.

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Applicant has amended claim 20 into independent form including the limitations of previous base claim 14.

Therefore, amended independent claims 1, 14, 18, and 20 are now in allowable form. In addition, dependent claims 2, 11, 22, and 23 further define patentably distinct independent claim 1; and dependent claims 15, 19, 24, and 25 further define patentably distinct independent claim 14. Therefore, these dependent claims are also believed to be allowable. Therefore, Applicant respectfully requests allowance of claims 1-2, 11, 14-15, 18-20, and 22-25.

CONCLUSION

In view of the above, Applicant respectfully submits that all pending claims 1-5, 7-16, and 18-26 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of all claims 1-5, 7-16, and 18-26 are respectfully requested.

Applicant hereby authorizes the Commissioner for Patents to charge Deposit Account No. 50-0471 in the amount of \$400.00 to cover the fees as set forth under 37 C.F.R. 1.16(h)(i).

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

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Any inquiry regarding this Amendment and Response should be directed to Patrick G. Billig at Telephone No. (612) 573-2003, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being transmitted via facsimile to Facsimile No. (703) 872-9306 on this 13 day of February, 2006.

By: 

Name: Patrick G. Billig